

## NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

### NOTICE OF RULEMAKING DOCKET OPENING

#### DEPARTMENT OF TRANSPORTATION HIGHWAYS

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2011-05 as issued by Governor Brewer. (See the text of the executive order on page 1829.) The Governor's Office authorized the notice to proceed through the rulemaking process on August 9, 2011.*

[R11-131]

- 1. Title and its heading:** 17, Transportation  
**Chapter and its heading:** 3, Department of Transportation – Highways  
**Article and its heading:** 7, Highway Encroachments and Permits  
**Section numbers:** R17-3-701 (Sections may be added, deleted, or modified as necessary.)
- 2. The subject matter of the proposed rules:**  
The Department has determined that certain language under R17-3-701(A)(1)(b) and (s) conflicts with 23 CFR 750.707. Under 23 U.S.C. 131, federal funds may be withheld if states do not comply with federal outdoor advertising requirements.
- 3. A citation to all published notices relating to the proceeding:**  
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rules:**  
Name: Eileen Colleran, Policy and Rules Administrator  
Address: Office of Policy and Rule  
Department of Transportation  
206 S. 17th Ave., Mail Drop 140A  
Phoenix, AZ 85007  
Telephone: (602) 712-7685  
Fax: (602) 712-3232  
E-mail: EColleran@azdot.gov  
Please visit the ADOT web site to track progress of these rules and any other agency rulemaking matters at [www.azdot.gov/mvd/mvdrules/index.asp](http://www.azdot.gov/mvd/mvdrules/index.asp).
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
Written comments may be submitted at any time. Oral comments may be made during regular business hours. All comments should be directed to the agency official listed under item 4. The date, time, and location of any oral proceeding on the rulemaking will be included in the Notice of Proposed Rulemaking.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
To be determined

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NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF TRANSPORTATION  
TITLE, REGISTRATION, AND DRIVER LICENSES

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2011-05 as issued by Governor Brewer. (See the text of the executive order on page 1829.) The Governor's Office authorized the notice to proceed through the rulemaking process on June 24, 2011.*

[R11-133]

1. **Title and its heading:** 17, Transportation  
**Chapter and its heading:** 4, Department of Transportation – Title, Registration, and Driver Licenses  
**Article and its heading:** 4, Driver Licenses  
**Section numbers:** R17-4-401, R17-4-404, Table 1, R17-4-408, R17-4-411, and R17-4-412 (Sections may be added, deleted, or modified as necessary.)
2. **The subject matter of the proposed rules:**  
The Department engages in this rulemaking to amend existing rules relating to certified ignition interlock device requirements and the special ignition interlock restricted driver license. The updated rules will contain technical corrections that are necessary for the Department to implement provisions of Laws 2011, Ch. 341 (SB1200), and to ensure the rules are made clear, concise, and understandable for all ignition interlock program participants.
3. **A citation to all published notices relating to the proceeding:**  
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rules:**  
Name: John Lindley  
Address: Department of Transportation, Administrative Rules  
1801 W. Jefferson St., Mail Drop 517M  
Phoenix, AZ 85007  
Telephone: (602) 712-8804  
Fax: (602) 712-3373  
E-mail: [jlindley@azdot.gov](mailto:jlindley@azdot.gov)  
Please visit the ADOT web site to track the progress of this rule and any other agency rulemaking matters at [www.azdot.gov/mvd/mvdrules/index.asp](http://www.azdot.gov/mvd/mvdrules/index.asp)
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
Written comments may be submitted at any time. Oral comments may be made during regular business hours. All comments should be directed to the person listed under item 4. The date, time, and location of any oral proceeding on the rulemaking will be included in the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
To be determined

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF TRANSPORTATION  
COMMERCIAL PROGRAMS

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2011-05 as issued by Governor Brewer. (See the text of the executive order on page 1829.) The Governor's Office authorized the notice to proceed through the rulemaking process on June 24, 2011.*

[R11-130]

1. **Title and its heading:** 17, Transportation  
**Chapter and its heading:** 5, Department of Transportation – Commercial Programs  
**Article and its heading:** 5, Motor Carrier Financial Responsibility  
**Section numbers:** R17-5-501, R17-5-504, and R17-5-506 (Sections may be added, deleted, or modified as necessary.)
2. **The subject matter of the proposed rules:**  
The Department has determined that over the past several years statutory references and other information contained within the rules have changed. The rules need to be updated to provide accurate references and information for motor carriers to comply with Arizona's financial responsibility requirements.

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**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rules:**

Name: Eileen Colleran, Policy and Rules Administrator

Address: Office of Policy and Rule  
Department of Transportation  
206 S. 17th Ave., Mail Drop 140A  
Phoenix, AZ 85007

Telephone: (602) 712-7685

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E-mail: EColleran@azdot.gov

Please visit the ADOT web site to track progress of these rules and any other agency rulemaking matters at [www.azdot.gov/mvd/mvdrules/index.asp](http://www.azdot.gov/mvd/mvdrules/index.asp).

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**6. A timetable for agency decisions or other action on the proceeding, if known:**

To be determined

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF TRANSPORTATION  
COMMERCIAL PROGRAMS**

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2011-05 as issued by Governor Brewer. (See the text of the executive order on page 1829.) The Governor's Office authorized the notice to proceed through the rulemaking process on June 24, 2011.*

[R11-134]

**1. Title and its heading:**

17, Transportation

**Chapter and its heading:**

5, Department of Transportation – Commercial Programs

**Article and its heading:**

6, Ignition Interlock Device Manufacturers; and 7, Ignition Interlock Device Installers

**Section numbers:**

R17-5-601 through R17-5-613 and R17-5-701 through R17-5-708 (Sections may be added, deleted, or modified as necessary.)

**2. The subject matter of the proposed rules:**

The Department engages in this rulemaking to amend existing rules relating to the reporting requirements of certified ignition interlock device manufacturers and installers. The updated rules will enable the Department to implement provisions of Laws 2011, Ch. 341 (SB1200), to ensure that the manufacturers and installers are accurately and timely reporting relevant information to the Department regarding each program participant's use of a certified ignition interlock device. The rules will provide clear guidelines for certified ignition interlock device manufacturers, installers, and program participants, clarify the applicable device information that a manufacturer or installer can report to the Department, and establish the process the Director may use to impose a civil penalty against an ignition interlock device manufacturer or installer who fails to properly report ignition interlock data to the Director in the manner prescribed.

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rules:**

Name: John Lindley

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1801 W. Jefferson St., Mail Drop 517M  
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Notices of Rulemaking Docket Opening

E-mail: jlindley@azdot.gov

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**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Written comments may be submitted at any time. Oral comments may be made during regular business hours. All comments should be directed to the person listed under item 4. The date, time, and location of any oral proceeding on the rulemaking will be included in the Notice of Proposed Rulemaking.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

To be determined

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF TRANSPORTATION  
OVERDIMENSIONAL PERMITS**

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2011-05 as issued by Governor Brewer. (See the text of the executive order on page 1829.) The Governor's Office authorized the notice to proceed through the rulemaking process on August 11, 2010.*

[R11-132]

**1. Title and its heading:**

**Chapter and its heading:**

**Article and its heading:**

**Section numbers:**

17, Transportation

6, Department of Transportation – Overdimensional Permits

1, General Provisions; 2, Permit Classes; 3, Safety Requirements; 4, Transport Restrictions; 5, Envelope Permit Special Provisions

R17-6-101, R17-6-102, Table 1, R17-6-103 through R17-6-113, R17-6-201 through R17-6-206, Table 2, R17-6-207 through R17-6-211, R17-6-301, R17-6-302, Ill. 1, R17-6-303, Ill. 2, R17-6-304, Ill. 4, R17-6-305 through R17-6-308, R17-6-401 through R17-6-411, Tables 3.01 through 3.09, Ill. 3, R17-6-412, Table 4, R17-6-413, Table 5, R17-6-414, and R17-6-501 through R17-6-505 (Other Sections may be added, deleted, or modified as necessary.)

**2. The subject matter of the proposed rules:**

The Arizona Department of Transportation in cooperation with the Overdimensional Permit Council and other representatives of the regulated community is updating its overdimensional permit rules to ensure effectiveness in achieving statutory objectives under A.R.S. Title 28, Chapter 3, Articles 18 and 19. Rule amendments are intended to correct outdated information and statutory references, to provide further clarification on existing processes as necessary to promote the public safety, and to ensure the rules are clear, concise, and understandable. The Department and the Overdimensional Permit Council will be publishing additional notices to ensure that all interested parties are provided sufficient opportunity to participate in this rulemaking effort.

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rules:**

Name: John Lindley

Address: Department of Transportation, Administrative Rules  
1801 W. Jefferson St., Mail Drop 517M  
Phoenix, AZ 85007

Telephone: (602) 712-8804

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E-mail: jlindley@azdot.gov

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**6. A timetable for agency decisions or other action on the proceeding, if known:**

The Department anticipates completing this rulemaking in 2012.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ENVIRONMENTAL QUALITY  
HAZARDOUS WASTE MANAGEMENT**

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2011-05 as issued by Governor Brewer. (See the text of the executive order on page 1829.) The Governor's Office authorized the notice to proceed through the rulemaking process on August 23, 2011.*

[R11-127]

**1. Title and its heading:**

18, Environmental Quality

**Chapter and its heading:**

8, Department of Environmental Quality – Hazardous Waste Management

**Articles and their headings:**

2, Hazardous Wastes

**Section numbers:**

R18-8-260, R18-8-270 (Sections may be added, deleted, or modified as necessary.)

**2. The subject matter of the proposed rule:**

The rulemaking is being conducted as required by Laws 2011, 1st Regular Session, Ch. 220, which also enacted temporary hazardous waste fees for FY 2012. This rule would increase existing hazardous waste fees to address the direct and indirect costs of the department's relevant duties, including employee salaries and benefits, professional and outside services, equipment, in-state travel and other necessary operational expenses directly related to issuing hazardous waste permits and enforcing the requirements of the regulatory program. The goal is to achieve self sufficiency of ADEQ's Hazardous Waste Programs and replace general funds no longer appropriated to the Program. The Department anticipates the new fees from this rule to be effective July 1, 2012.

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Peggy J. Guichard-Watters

Address: Arizona Department of Environmental Quality  
1110 W. Washington St.  
Phoenix, AZ 85007

Telephone: (602) 771-4117, or toll-free in Arizona: 800-234-5677, ext. 4117

Fax: (602) 771-2383

E-mail: pgw@azdeq.gov

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Department will accept comments during business hours at the address listed in item 4. Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

To be determined

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ENVIRONMENTAL QUALITY  
SOLID WASTE MANAGEMENT**

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2011-05 as issued by Governor Brewer. (See the text of the executive order on page 1829.) The Governor's Office authorized the notice to proceed through the rulemaking process on August 23, 2011.*

[R11-128]

**1. Title and its heading:**

18, Environmental Quality

**Chapter and its heading:**

13, Department of Environmental Quality – Solid Waste Management

**Articles and their headings:**

5, Requirements for Solid Waste Facilities Subject to Self-Certification (new Article); 7, Solid Waste Facility Plan Review Fees; 11, Collection, Transportation, and Disposal of Human Excreta; 12, Waste Tires; 13, Special Waste; 14, Biohazardous Medical Waste and Discarded Drugs;

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**Section numbers:**

16, Best Management Practices for Petroleum Contaminated Soil; 21, Municipal Solid Waste Landfills  
R18-13-501, R18-13-701 through R18-13-706, R18-13-1103, R18-13-1211 through 1213, R18-13-1307, R18-13-1409, R18-13-1606, R18-13-2101 through R18-13-2103 (Sections may be added, deleted, or modified as necessary.)

**2. The subject matter of the proposed rule:**

The rulemaking is being conducted as required by Laws 2011, 1st Regular Session, Ch. 220, which also enacted temporary solid waste fees for FY 2012. This rule would increase existing solid waste fees and establish new ones to address the direct and indirect costs of the department's relevant duties, including employee salaries and benefits, professional and outside services, equipment, in-state travel and other necessary operational expenses directly related to issuing solid waste management licenses and permits and enforcing the requirements of the applicable regulatory program. The goal is to achieve self sufficiency of ADEQ's Solid Waste Programs and replace general funds no longer appropriated to the Program. The Department anticipates the new fees from this rule to be effective July 1, 2012.

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Peggy J. Guichard-Watters  
Address: Arizona Department of Environmental Quality  
1110 W. Washington St.  
Phoenix, AZ 85007  
Telephone: (602) 771-4117, or toll-free in Arizona: 800-234-5677, ext. 4117  
Fax: (602) 771-2383  
E-mail: pgw@azdeq.gov

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Department will accept comments during business hours at the address listed in item 4. Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

To be determined